



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The
First, Second, And Third
Tuesday of each month

County Courthouse,
Bridgeport, CA 93517

Regular Meeting

October 6, 2009

9:00 AM Meeting called to order by Chairman Reid.
Supervisor Hazard was absent due to vacation.

Pledge of Allegiance by Supervisor Bauer.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No One Spoke.

BOARD MEMBER REPORTS

Supervisor Bauer:

- 1) Went on vacation to the east coast.
- 2) I will be attending a NACo meeting this weekend. I'm making transportation my priority project.

Supervisor Farnetti:

- 1) 9/17 Attended the Town County Liaison meeting regarding the Minaret Mall sublease – 5 year renewal option. Also discussed State Budget impacts; Horizon Air Service is offering four daily flights into Mammoth; air service planned from San Francisco will not happen this year; and Mammoth Mountain reassessment.
- 2) 9/30 Attended the combined Mental Health-Alcohol/Drug Advisory meeting. Revision of their bylaws was discussed. Delores Wright has resigned here position.
- 3) Echo Conversion should be operational this week.
- 4) 9/30 Attended the Committee meeting. Discussion on the AOC Building/ Court House Building. It is clear that we cannot make any changes to the architecture, but we can change the landscaping by adding an additional forty one trees.

Supervisor Hazard: Absent

Supervisor Hunt:

- 1) 9/17 Attended the Town County meeting; discussed using stimulus money. The Town has signed a lease agreement for the Minaret Mall. AOC Court House planning issue was discussed and the overall concern of how this structure will look as an entrance statement to

Mammoth Lakes.

2) 9/18 Also attended the Eastern Sierra Conference of Government meeting. The bike lane up to Twin Lakes is nearly completed. The proposal suggests that next year the complete trail will be finalized.

3) Starting October 24th, the telephone service will be implementing a trial basis and asking everyone to begin dialing complete phone numbers, including area codes.

4) Attended the ESTA board meeting. Discussed the present status of projects; approved payment to legal counsel.

5) 9/23-25 Attended RCRC meeting at Squaw Valley. While there, attended a seminar on medical marijuana.

6) Attended Sierra Nevada Conservancy joint meeting. The SNC has funding available for various projects.

7) Attended the Mammoth Lakes Housing, Inc board meeting and received updates on housing elements. We have recently leased out part of our facility, the conference room.

8) Recently heard that \$80 million worth of real estate was given back to the banks by Mammoth Mountain.

Supervisor Reid:

1) 9/17 Attended the Bridgeport RPAC meeting. They are very pleased with the landscaping project around Annex I.

2) Bridgeport's Visitor's Center has an additional sign on the west side which seems to have generated more activity at the Center.

3) Went on vacation to Jackson Hole, Wyoming and then on into Montana.

4) 9/28 Participated in the IMAAA workshop.

5) Attended the Antelope RPAC meeting. Bylaws and cargo containers were some of the issues discussed.

6) Attended the Deer Hunter's BBQ, Public Works set up the new sound system. Everyone there was very pleased with the system.

7) I have been asked to judge, along with Col. Cooling, and Sheriff Scholl, the Antelope Valley Fire District's Halloween Chili Cook Off.

8) Met with Dave Wilbrecht and Terri Gooch regarding the Walker Senior Center.

9) Good News on the Walker River Basin Project. Stacey Simon, Assistant County Counsel, contacted the right people at the right time and Harry Reid has agreed to drop the amendment. This puts the leases back to Nevada.

COUNTY ADMINISTRATIVE OFFICE

1) **CAO Report regarding Board Assignments (David Wilbrecht)**

Dave Wilbrecht:

1) Attended the California Assoc. of Joint Powers Authority.

1) Recently made a trip to Washington to visit my ill Aunt.

2) Met regarding the Walker Senior Program.

4) Continuing our HR recruitment.

5) Hospital meetings regarding personnel.

6) Ongoing status meetings.

2) **APPROVAL OF MINUTES**

M09-225 A. Approve minutes of the Regular Meeting held September 8, 2009.
Hunt/Farnetti 4-0 Hazard-absent

M09-226 B. Approve minutes of the Regular Meeting held September 15, 2009.
Farnetti/Hunt 4-0 Hazard-absent

- M09-227** C. Approve minutes of the Special Meeting held September 15, 2009.
Bauer/Farnetti 4-0 Hazard-absent

CLOSED SESSION

HUMAN RESOURCES

- 3a) Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Mary Booher. Unrepresented employee(s): County Clerk/Recorder/Registrar/Clerk of the Board.
- 3b) Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, George Booth and Rita Sherman. Unrepresented employee(s): Deputy District Attorney.
- 3c) Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Brian Muir, Rita Sherman, Mary Booher, Marshall Rudolph, and Lynda Salcido. Unrepresented employee(s): Public Health Officer.
No Report from Closed Session.

Closed Session started at 9:05 a.m.
Closed Session ended at 9:26 a.m.
Break 9:26 a.m.
Reconvened at 9:33 a.m.
Break at 10:01 a.m.
Reconvened at 10:08 a.m.
Break at 11:39 a.m.
Reconvened at 11:45 a.m.

DEPARTMENT REPORTS/EMERGING ISSUES

Lynda Roberts, County Clerk/Recorder: Gave report to the Board comparing January-September of 2008 figures & January-September of 2009 figures regarding foreclosures, trustee sales, trust deeds.

Joe Blanchard, Park & Facilities Superintendent: 1) Updated the Board on the fencing at Lee Vining Road Shop. 2) June Lake Community Center has been painted and the Library will be painted also.

Jeff Walters, Assistant Public Works Director: Soil samples have been taken from a leaking oil tank in Bridgeport. The results should be back soon and then at that time we will come back to the Board.

A question was raised by Supervisor Reid and discussion followed on potential boiler problems and plans to accommodate the working force and what backup do we have. Public Works will follow up with a report.

Nancy Boardman, Animal Control Director: Addressed the Board concerning agenda item 5c, regarding a letter received from Richard & Gayle Lucky. The complaint seemed to have come from the Sherwin Creek Campground. We are unfamiliar with this call. They may have called another agency but we, at Animal Control, do not have any record of this phone call. I want the Board to know that we do not ignore or refuse to answer any calls. Policy on handling these situations was described and also that some agencies may have the incorrect information. Supervisor Reid asked Boardman to follow up by contacting the Luckys and also educating agencies in the proper policies.

Brian Muir, Financial Director: 1) Finance Department has just put on a three day fiscal training. We had UC Davis professor, Cathy Romero CPA as the instructor. The first two days offered a normal classroom, the 3rd day each person brought their own computers for hands on training. 2) Secured bills will start going out today or tomorrow. Payment for property taxes can now be made using a credit card. We have gone through a credit card convenience processor company. There will be a fee of 2% for cc payments. 3) Courtesy notices will be mailed to taxpayers who have not paid their first installment, as a reminder. 4) Tax bills will be slightly larger in size with the tabs being a little larger which should make them easier to read. They will also shows due dates and delinquent dates separately.

Evan Nikirk, Public Works Director: Gave an update on Public Works' projects: 1) Swall Meadows Streets project under way with grinding and paving. Overlay will start after that. 2) Jail Roof project starts today. 3) June Lake Community Center roof project is out to bid. 4) Crowley Lake Shop bid is currently out. 5) Benton carpet project has had some changes. This will exceed the amount allocated. Public Works will come back with a proposal. 6) Walker Senior Center's carpet has been ordered. 7) Currently have four vehicle bids out. The administrative staff took a tour of the south county facilities to become more familiar with their resources.

Marshall Rudolph, County Counsel: 1) As Chairman Reid reported, there is good news on the Walker River Basin legislation. The particular language we were concerned about has been eliminated. I also would like to give my compliments to Stacey Simon for doing an outstanding job. 2) I have recently been elected President of the County Counsels Association.

CONSENT AGENDA

No Consent Items.

REGULAR AGENDA

CORRESPONDENCE RECEIVED

- 5a) Email letter from Richard Dahlgren - Email letter addressed to Greg Brown, California State Water Board, and Victoria Whitney, State Water Resources Control Board, responding to the LADWP Rush Creek flow reports (cc: Mono County Board of Supervisors).
- 5b) Mono County Fisheries Commission - Letter from Raymond Robles, Chair, regarding fish planting by the California Department of Fish and Game in the Fall of 2009 (cc: Mono County Board of Supervisors).
Supervisor Reid: Green Creek will not be stocked with fish. There must be some other reason for not stocking. The Campground manager has stated if it isn't stocked, the fishermen will not go there. This has been a popular fishing spot for some time. I would like to research the

possibility of obtaining fish designated to other waters and stocking Green Creek. The Fish & Game do not tell us we just find out on our own. Let's have Dan Lyster continue to work on it.

- 5c) Letter from Richard and Gayle Lucky - Complaint regarding the Animal Control Department.

Board Acknowledged receipt of correspondence.

COUNTY ADMINISTRATIVE OFFICE

- 6a) Human Resources-Vacancy Review (**Mary Booher**) - Receive presentation by Mary Booher regarding current vacant positions. Consider and potentially approve filling of recommended positions.
Mary Booher, Financial Analyst: Presented the following list for review by the Board for recommendations:
- 1) Social Service Eligibility & Training Worker: yes, fill position
 - 2) District Attorney I: have candidate
 - 3) Deputy Probation Officer: yes, continue recruitment
 - 4) Animal Control Officer II: yes, continue recruitment
 - 5) Animal Control Officer II: yes, continue recruitment
 - 6) MH Fiscal Officer: open until end of October
 - 7) Public Health Nurse: interviews on 10/27
 - 8) Senior Services Site Coordinator: originally 30 hrs/week - extend to 40 hrs/week – yes, make change & recruit
 - 9) Loss Prevention & Special Events: still pending on Union
 - 10) Public Works Inventory & Purchasing Technician: have a candidate
 - 11) Public Safety Officer: (2) vacancies: currently having interviews
 - 12) Deputy Sheriff: undergoing interviews
 - 13) Sheriff Safety Officer: yes, recruit
 - 14) Cook/Driver: presently having interviews
 - 15) Deputy CAO/HR: recruitment is continuing
 - 16) FTS I/II/III-County Counsel, part time: continue with temporary
 - 17) Transportation Analyst: continue with temporary
 - 18) Road MW II/III-Crowley: hold

FINANCE DEPARTMENT

- 6b) Human Resources-Muir Employment Contract (**Mary Booher**) - Consider and potentially adopt proposed resolution approving an employment agreement with Brian Muir and prescribing the compensation, appointment, and conditions of said employment. Receive staff report. Provide any desired direction to staff.

R09-71 Action: Adopt Resolution R09-71 approving an employment agreement with Brian Muir and prescribing the compensation, appointment, and conditions of said employment.

Farnetti/Hunt 4-0 Hazard-absent

- 6c) Human Resources-Zylman Employment Contract (**Mary Booher**) - Consider and potentially adopt proposed resolution approving an employment agreement with G. Edward Zylman and prescribing the compensation, appointment and

conditions of said employment. Receive staff report. Provide any desired direction to staff.

- R09-72** **Action:** Adopt Resolution R09-72 approving an employment agreement with G. Edward Zylman and prescribing the compensation, appointment and conditions of said employment.
Hunt/Farnetti 4-0 Hazard-absent

BOARD OF SUPERVISORS

- 7a) Bridgeport Indian Colony Land Development Update (**Art Sam and Charles White**) - Bridgeport Indian Colony Chairman, Art Sam, will provide an update about land development at the Colony and land being considered for a trust.
Action: Agendize for October 20, 2009.
Art Sam, Bridgeport Indian Colony Chairman: Introduced Charles White, Bridgeport Indian Colony Tribal Administrator; David Lent, Executive Director of the Toiyabe Indian Health Project (TIHP). An update was given regarding future plans of:
1) Camp Antelope, 7.16 acre parcel in Coleville: Report given on history of parcel. Map handout given. Propose to reopen Health Clinic with a dental facility at first. A resolution from the TIHP, regarding their support to the Bridgeport Indian Colony to acquire 7.16 acres of land into Trust through Congressional Legislation, was distributed to the Board.

David Lent: Updated the Board on Toiyabe Indian Health Project in northern Mono County. Proposing to provide CHR's for the tribal community & a health/fitness station. Provide medical care in north county at a later time if there is a demand or need. Stated the Clinic was closed down previously because of lack of funds and mismanagement. Mr. Lent responded to Supervisor Reid's question regarding who would receive health care services at Camp Antelope, as we provide direct care to natives but we do not discriminate and will accept appointments from natives and non natives.

2) 31.86 acres located at the Bridgeport Indian Reservation: Map handout given. Possibility of including this in their Trust.
3) Colony is researching the possibility of purchasing 155 acres near the Bodie area, the Bodie Road RV Project. We have not made a formal offer.
Discussion followed concerning a previous proposed MOU with the Tribe and it was determined that it was not completed due to the inability of both parties to agree. County Counsel agreed to compile all pertinent information, agreements, etc. from this previous MOU proposal for the next scheduled presentation.
TIHP has meet with Senators Boxer and Feinstein and Congressman McKeon in attempt to solicit their formal support. The TIHP also requested the Board's formal support for their projects.
After much discussion, it was agreed upon to agendize this presentation for the next Board Meeting on October 20, 2009.
- 7b) State Budget (**Board Members**) - The Board of Supervisors may discuss issues pertaining to the California State budget.
Action: Updates

FINANCE

- 8a) Accepting Credit Cards for Payment of County Fees (**Brian Muir**) - Receive presentation by Finance Director regarding accepting credit cards as payment for certain County services and absorbing the processing charges. Consider continuing to accept credit cards and absorbing the processing charges as payment for services only in the Paramedic, Mental Health and Health Departments and for airplane fuel and the surplus sale through Public Works. Provide any desired direction to staff.
Brian Muir: This is a housekeeping item that needs to have the Board's formal action to approve accepting credit card payment for services in the Paramedic, Mental Health and Health Departments, and any other changes must have the Board's approval.

M09-228 Action: Approve accepting credit cards as payment for services and absorbing the processing charges only in the Paramedic, Mental Health and Health Departments and for airplane fuel and the surplus sale through Public Works.

Farnetti/Hunt 4-0 Hazard-absent

COUNTY COUNSEL

- 8b) Proposition 1A Receivable Financing Program (**Brian Muir**) - Consider resolution approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.
Brian Muir: Securitization Program is coming due. How this works is that we sell these funds to a CSAC organization. We will then receive two installments. Bond holders will make payment to the third party. The State is willing to pay up to 8% interest, at this time. Special Districts must apply themselves and the Finance Department has been assisting them in this.

R09-73 Action: Adopt Resolution R09-73 approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

Hunt/Farnetti 4-0 Hazard-absent

COUNTY COUNSEL

- 8c) Ordinance Amending Board of Supervisors' Compensation (**Brian Muir**) - Proposed ordinance amending sections 2.04.030 and 2.04.070 of the Mono County Code pertaining to compensation of the Board of Supervisors.
Supervisor Reid: As an explanation of this item, last January the Board was to receive a 4.3% COLA increase but chose to wait until after the final budget for FY2009/10 was approved to assess the financial situation.

ORD09-04 Action: Adopt ordinance ORD09-04 amending sections 2.04.030 and 2.04.070 of the Mono County Code pertaining to compensation of the Board of Supervisors.

Bauer/Farnetti 4-0 Hazard-absent

PUBLIC WORKS

- 9a) Construction Management Services for Swall Meadows Streets Rehabilitation (**Kelly Garcia**) - Receive staff report regarding proposed County entry into an agreement with Nichols Consulting Engineers for construction management and inspection services for the Swall Meadows Streets Rehabilitation Project. Provide any desired direction to staff.
Kelly Garcia, Assistant Public Works Director: Nichols will deliver full time inspection and materials testing for this project.

M09-229 Action: Authorize the Public Works Director to execute and administer a consulting agreement with Nichols Consulting Engineers for construction management and inspection services associated with the Swall Meadows Streets Rehabilitation Project.

Farnetti/Hunt 4-0 Hazard-absent

Meeting adjourned at 12:05 p.m.

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BILL REID, CHAIRMAN

Board of Supervisors
County of Mono

ATTEST:

LINDA ROMERO

Assistant Clerk to the Board